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*Attorneys for Defendant Capital One, N.A.,
erroneously sued as “Capital One Bank (USA)”*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EVIGAIL GUTIERREZ,

Plaintiff,

v.

EQUIFAX INFORMATION SERVICES, LLC;
TRANS UNION LLC; CAPITAL ONE BANK
(USA), and PATENAUDE & FELIX, A.P.C.

Defendants.

CASE NO.: 2:23-cv-01278-GMN-EJY

**STIPULATION AND ORDER TO EXTEND
TIME FOR DEFENDANT CAPITAL ONE,
N.A. TO FILE RESPONSIVE PLEADING
TO COMPLAINT**

(FIRST REQUEST)

Pursuant to Local Rules 6-1 and 6-2, Plaintiff Evigail Gutierrez (“Plaintiff”) and Defendant Capital One, N.A., erroneously sued as “Capital One Bank (USA),” (“Capital One” and together with Plaintiff, the “Parties”) stipulate and agree as follows:

WHEREAS:

1. Capital One’s current deadline to file its responsive pleading to the Complaint is October 27, 2023;
2. Immediately upon being retained by Capital One, on the afternoon of October 24, 2023, counsel for Capital One reached out to Plaintiff’s counsel to request additional time to file a responsive pleading;
3. The Parties agreed that good cause exists to extend the responsive pleading deadline by an additional thirty (30) days to allow the newly engaged defense counsel time to

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obtain and review a copy of the file and gather additional facts and information while continuing to devote resources to exploring the potential for early resolution of this matter;

4. The Parties agree to extend the deadline for Capital One to file its responsive pleading to the Complaint to November 27, 2023; and

5. This stipulation is made in good faith and not for the purpose of delay.

NOW, THEREFORE, IT IS HEREBY STIPULATED THAT:

Capital One's time to file a responsive pleading to Plaintiff's Complaint is extended. Capital One shall file its responsive pleading on or before November 27, 2023.

DATED this 25th day of October, 2023.

McDONALD CARANO LLP

By: /s/ Karyna M. Armstrong
 Aaron D. Shipley (NSBN 8258)
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*Attorneys for Defendant Capital One,
 N.A., erroneously sued as "Capital One
 Bank (USA)."*

DATED this 25th day of October, 2023.

DOHERTY SMITH, LLC

By: /s/ James M. Smith
 James M. Smith
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Attorneys for Plaintiff

IT IS SO ORDERED:


 UNITED STATES MAGISTRATE JUDGE

DATED: October 25, 2023